

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

IN THE MATTER OF:	:	Case No. 15-57501
	:	Chapter 7; Judge C. Kathryn Preston
Shahid Mohammad	:	
Shahar Bano,	:	
	:	
Debtors.	:	

**OBJECTION TO PROOF OF CLAIM NO. 10**  
**OF OHIO DEPARTMENT OF TAXATION**

David M. Whittaker, Trustee (“the Trustee”), objects to the following proof of claim pursuant to the provisions of 11 USC Sec. 502, Federal Rule of Bankruptcy Procedure 3007, and Local Bankruptcy Rule 3007-1.

1. THE PROOF OF CLAIM

Claim No.	10
Claimant:	Ohio Department of Taxation Bankruptcy Division PO Box 530, Columbus, OH 43216
Claim Amount:	\$2,335.50
Date Filed:	April 14, 2016

2. BASIS FOR THE OBJECTION

This proof of claim does not assert a valid claim against either of the Debtors. The proof of claim indicates that the debtor is Todd Kirkpatrick and that the Case No. is 15-58186. So this proof of claim should not have been filed in this case.

3. REQUESTED RELIEF:

The Trustee requests that the Court enter an Order sustaining the Trustee's objection to this claim. The Trustee further requests that the Court order that this claim will be denied and

that this claim will not participate in any distribution made by the Trustee to unsecured creditors pursuant to 11 U.S.C. Sec. 726.

Respectfully submitted,

/s/ David M. Whittaker

David M. Whittaker, Esquire (0019307)  
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Attorney for David M. Whittaker, Trustee

**NOTICE OF OBJECTION TO CLAIM NO. 10**  
**OF OHIO DEPARTMENT OF TAXATION**

David M. Whittaker, Trustee has filed an objection to Claim No. 10 of Ohio Department of Taxation in this bankruptcy case. **This claim may be reduced, modified, or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one.**

If you do not want the Court to eliminate or change your claim, then within **thirty days** from the date of the service of this Objection, you or your lawyer must:

File with the Court a written response to the objection, explaining your position at: The United States Bankruptcy Court, 170 North High Street, Columbus, Ohio 43215, or you may file your response by using the Court's ECF electronic filing system.

If you mail your response to the Court for filing, you must mail it early enough so that the Court will receive it on or before the date stated above.

You must also mail a copy to or serve a copy by the Court's ECF system on:

David M. Whittaker, Esq.  
Bricker & Eckler  
100 South Third Street  
Columbus, OH 43215  
dwhittaker@bricker.com

United States Trustee  
170 N. High St., Ste 200  
Columbus, OH 43215  
ustpreion09.cb.ecf@usdoj.gov

If you, or your attorney, do not take these steps, the Court may decide that you do not oppose the objection to this claim and the Court may enter an Order sustaining the Objection to this claim without further notice or a hearing.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Objection to Claim No. 10 of Ohio Department of Taxation, and Notice of Objection was served upon the parties listed below in manner indicated on May 4, 2016.

/s/ David M. Whittaker  
David M. Whittaker, Esq.  
Attorney for David M. Whittaker, Trustee

The following parties were served via ECF electronic service only to the address registered with the Court.

US Trustee	Adam Bradley Hall, Esq.
Wendi Henderhan, Esq.	Brian M. Gianangeli, Esq.
	Christopher J. Klym, Esq.

The following parties were served by U.S. Mail at the address indicated:

Shahar Bano 127 Georges-Creek Drive Pickerington, OH 43147	Brian M. Gianangeli, Esq. 6305 Emerald Parkway Dublin, OH 43016
Shahid Mohammad 127 Georges-Creek Drive Pickerington, OH 43147	Christopher J. Klym, Esq. 24441 Detroit Rd. Ste. 200 Westlake, OH 44145
Ohio Department of Taxation Bankruptcy Division PO Box 530 Columbus, OH 43216	Attorney General State of Ohio 150 East Gay Street 21 <sup>st</sup> Floor Columbus, OH 43215
Rebecca L. Daum, Esq. Ohio Department of Taxation 30 East Broad Street 21 <sup>st</sup> Floor Columbus, OH 43215	